House of Assembly, Feb. 7th.

ADJOURNED DEBATE ON WANT OF CONFIDENCE.

[Mr. Hayward's Speech continued from 4th page.]

not try it, and, if defeated, appeal to the people? He should not attempt to defend them. But there were good things they had done, for which they should receive due credit. They had taken office in a crisis of very great commercial depression, and they had so managed as to maintain the public credit. The warrants issued were all paid, and the interest on the loan had been punctually paid. Several years ago, at the period of a similar crisis, treasury warrants were hawked about St. John, and sold to speculators at a discount of ten per cent, and yet the Government of the day were not censured. Hon. members of the opposition had generally admitted that the Speech this year was satisfactory, provided its recommendations were carried out. He believed the members of the Government were honest in their purpose, and that the recommendations would be carried out. Believing that, he would support the Government, and vote against the amendment.

Mr. Needham contended that this was not a new Government. If Mr. Street had received a carte blanche from the Governor to form a new Government, he would not have dreamt of opposing that Government until that Gentleman had returned, and his Government fairly tried by its measures. He would not follow the hon. and learned mover (Mr. Ritchie) in the charges he had made against the Government, but he would take up some things that hon. members had touched but lightly, and notice some things that had fallen from supporters of the Government in the course of the debate, and say just what might occur to his mind as he went along. He would take the hon. the present Attorney General at his word; he believed that gentleman stated the truth, in his address to his constituents last summer, when he said the members of the present Government were "politically dishonest." He believed they were the same now,—they did not know how to be honest, and in his opinion they never would. Let them take the Governor's Speech of last year, and see all the fine recommendations in it; were these recommendations ever carried out? were promises ever fulfilled? No: no measures were introduced. Why did they not come down then, as now, and say "we can't make bricks without straw"! (hear, hear.) Why did they not say, "we must have the means to carry out our measures, or we'll resign?" If they had, there was no doubt but they would have been sustained by the present House. *Then* they might have asked with a good grace for a vote of confidence, which would have been cheerfully given, instead of the present resolution having been moved. Had the Government any right to ask for a vote of confidence now? He defied the members or supporters of Government to point out one single act of theirs, during their administration of public affairs, calculated to advance the interests of the community. When challenged with this, the only answer they had to give was, "Oh! we asked for £500 to explore the coal-fields, and you would not give it to us! you would not give us the money to bore into the bowels of the earth, to discover a lower stratum of coal!" (laughter) as though they were not black enough already, without running against a coal mine! (Great laughter.) Now, if £500 would enable them to discover the lower stratum of the members of the Government, he would cheerfully vote for it. (Roars of laughter.)

It had been intimated by a supporter of the Government, that if this Government were ousted, materials could not be found to form another. He did not agree with this opinion; he believed that there would be no difficulty in forming a Government, and one much better than the one in existence at present. The hon. Secretary had, in his speech, said he was not capable to defend the Government. He believed him; he believed that there was not a man in whom God had put breath that could defend the acts of the Government. How could it be done, when they had no acts to defend! (Laughter.) He would acknowledge that the appointment of the Mayor of St. John had made him unpopular; the truth was, the nail was pretty well driven before, and that clinched it. (Laughter.) But whatever the hon. Secretary might think, in reference to the appointment of the Common Clerk, he would assure him that it had done him no harm. Mr. Wheeler was a very efficient officer, and a popular one. But it was the distribution of patronage which had ruined the hon. Secretary in St. John; the exercise of that power over local affairs which should have been placed in the hands of the people. Thus, had the Mayor of St. John been elected by the people, the hon. Secretary would not have borne the odium of his appointment. (Hear, hear.) He would now make some remarks on what had fallen from the hon. and learned member from Restigouche. The hon. member had stated that the hon. Secretary and colleagues had a right to hold on to their offices as long as they could. Well, according to the same doctrine, those who were out had a right to seek office. The hon. Secretary had stated, last night, that he had documents in his possession to refute the charges preferred against him by his hon. and learned friend (Mr. Ritchie); but where were they? they were not forthcoming; they were not lost and yet they could not be found: were they gone above with the member of the opposition? or had they sunk where the £500 was to have gone, down into the bowels of the earth? No: they could not be found, because they were not in existence. The hon. member for Restigouche had pursued a singular course; he had vilified the hon. mover of the resolution, and then cried peccavi—he had said sufficient to provoke retaliation, and then sued for mercy. The hon. Secretary assumed a different tone. He told a long story of how people were continually going about to do him an injury, and seemed to think himself the only target in the Government worth firing at. The hon. member for Restigouche had accused the Opposition of attributing to the Government not only the depression of trade, but the potato-rot, and the wevil in the wheat. Now, he contended that there was a far greater evil in the land than either the wevil or the potato rot. These were sent upon the land by a power none could resist; but they were of temporary duration,—the land prospered again, and the evil was forgotten; but the withering influence of a corrupt Government would never be got over.—The hon. Secretary had spoken of the consolidation of the laws. The only one of these Acts that had any reference to the privileges of the people was in that relating to Parish Officers, and that had been engrafted upon it by Mr. End. The consolidation of the laws enabled a lawyer to ascertain by looking over one page, what he would otherwise have to hunt through several volumes for, and pocket his five guineas without earning it. What did this consolidation benefit the community? Did it reduce the enormous costs, amounting in the whole Province to £200,000 annually? No. Did it simplify the phraseology, as it should have done, so that every man could understand it? No. But it benefitted the lawyers alone. He contended that the Government had no right to spend the people's money to benefit the lawyers. —Another of the Government measures was the improvement of the navigation of the river St. John. He believed that in reference to this matter, a tale would one day be unfolded they would not like to hear. The works they were erecting were almost universally condemned.—He had heard of swinging bridges, but he never before heard of *swinging dams*, (laughter.) —The hon. members supporting the Government had brought out, as a bug bear, the removal of the seat of Government. This question had nothing to do with that, nor did he believe that question would be brought forward, but this was the way in which they endeavoured to create a suspicion in men's minds. They had also said "Oh, it is only a question betwixt the outs and the ins—the outs want to turn out the ins that they may get their places." He denied it. He was no office-seeker, he would not take office under any Government, although it should be offered him. He had pledged himself on the hustings that he would never accept office until he had cleared the country of that scourge upon them—that incubus—the present Government, (laughter) and not then, until he had served his four years in this House. Then, if he should be thought deserving any thing, he would claim his reward.

Some members of the Government had been held up as highly qualified on account of the stake they held in the country. Now he had neither money or lands to any extent, and yet he had as much stake in the country as any other man. It was a man's feelings—his soul—which gave him a stake in the country; that feeling which would prompt him to lay his hand on his heart and say

"This is my own my native land."

He did not know what stake the possessions of lands gave a man in the country, unless it were *a shed stakes* (laughter).

The hon. Secretary had said the resolution before the House had taken the Government by surprise. They had seen nothing of what was going on in the country; they never dreamt of it,—oh, no, they could not dream of it, because they never slept, (laughter). But they done all they possibly could to prepare for it, nevertheless. They had worked, and schemed, and twisted, and boxed the compass east, west, north, and south; and when they could find no other place to go to they had sent one of their opponents up above, (laughter). And after all this had been done, they awoke up one morning and found this resolution staring them in the face, and (sarcastically) they *were surprised!* Who'd believe it! (laughter). If any man really believed it, he wished that man would give him his faith, for then he could not only be able to remove mountains, but this corrupt Government also; (much laughter).

He must now return to the speech of the hon. member for Restigouche (Mr. Barberie). That hon. member, after talking about a little bantling, had stated that Restigouche was able to send a fighting-cock to this House. The hon. member, then, must be the fighting-cock; (laughter). The hon. member had also talked about arsenic, lucifer matches, &c. He did not know whether the hon. member considered himself a lucifermatch or not, but if he was a match he was lighted at the wrong end; (roars of laughter.

What had been the conduct of the Government in reference to the late appointments? By retaining their places they had countenanced Earl Grey's direct interference with our local concerns; they had betrayed, sold, aye, murdered their country. They had left us in a worse position than we were in before Responsible Government was thought of, for they had not left us even the shadow of a shade of the system. He would place confidence in no such men; he would place it in no men when his country demanded that he should draw the sword and slay; (laughter). And who was the man to correct them—the man to "leaven the whole mass," as it had been expressed? Was it Mr. Street,—the man who condemned them last summer as being politically dishonest, and then to join them at the first opportunity and take their lead! Not he! If an angel came down from heaven and took their lead, he could not make them whole.

The hon. member from Restigouche had proposed yesterday, in a sarcastic manner, that he (Mr. Needham) should be Chaplain of this House. He would yield up his claims to the hon. member, for he had prophecied to-day—was even sitting among the prophets at that moment—and prophets existed before priests, (laughter).

He differed upon one point from the hon. mover of the resolution. That hon. Gentleman had stated that when the Governor's Speech was read, in 1850, the people ceased to breathe. It was not so: the people held their breath in astonishment that good could spring from such a corrupt mass. They ceased to breathe at the prorogation, when they found that all the fine promises were broken; and they would never breathe again until the present Government was ousted.

He had a word or two to say about Professor Johnston and his Report. The hon. Mr. Hazen had, in 1846, called Responsible Government a humbug, but Professor Johnston was the humbug of a humbug. After praising this Province as being one of the first agricultural countries in America, he went to Illinois and purchased a farm. Subsequently he returned to Edinburgh, and in a public address delivered in that city, instead of praising this Province and directing emigrants here, he told them to stay away: New Brunswick was no place for them, although he had made his thousand pounds there! He would take up the time of the House no longer. He was determined to do what he considered right, though he should stand alone, as he was actuated by motives for the public good.

Hon. Mr. Rankin read a speech, but in so low a tone that the Reporter could catch but a small portion of it, especially as there was much noise just then in the gallery. He disclaimed in positive terms his having remained in the Government out of personal or private motives. He intimated that this was an attempt to oust the Government, that the leaders of the opposition might take their places,—that, were it effected, Mr. Ritchie would be the leader, and that he placed much more confidence in the present leader, Mr. Street, than he could place in Mr. Ritchie.

Mr. Ryan said he should not be governed by any personal motives. He was in favour of Responsible Government; which the present Executive would not carry out. They had promised once, and failed, consequently he had no confidence in them.

Dr. Gordon said he was disposed to give the Government a fair trial. After the return of Mr. Street, if they would carry into effect the measures recommended in the Speech, he should support them; if not, he would then oppose them.

Mr. Johnston said he had listened to several speeches successively in support of the Government, but he rose to oppose them. He regretted that he had to do so,—he was extremely sorry that he felt himself called upon to oppose a Government of which his hon. colleague, Mr. Street, was the leader. It had been said that the motion was premature, but he would urge as one sound reason why it was not so, that if they had awaited Mr. Street's return, the resolution would have involved him in its results, but now it did not.—He was rejoiced to have this opportunity to express his political sentiments. Had he any personal feelings in the matter, they were the other way; but he was determined to do whatever he considered right however it might affect himself. Were he to consult the best method to sit in that House four years and secure his return, he would not have offered any opposition to the Government until the last year of the House; but he would be governed by no such motives. If the Government should be defeated, and the House dissolved, he was willing to meet his constituents, and tell them he had redeemed his pledge: if the Government should be sustained, they would know who was who, and what they would have to expect, and he for one would not go for a factious opposition. There was one thing certain, at all events: if the measures promised by the Executive were carried out, it would be by the force of the opposition, (hear hear.) He would now proceed to notice what had been said by certain hon. members who supported the Government. He was but a new member, not much acquainted with parliementary terms and similes; he was not certain whether "fighting-cock" and "bantling" were parliamentary expressions; but he supposed it was the same there as elsewhere—men chose their similies from things they were familiar with in their employment, or from such things as accorded with their taste: (laughter). Then again, the same hon. member had deprecated long speeches as lawyer like, and asserted that the public time would be wasted in talk so long as people continued to send lawyers there. He did not question the hon. member's sincerity in the least,—he had no doubt he would gladly support a bill to exclude lawyers from the house; for all *barristers* were not *lawyers*, and the hon. member thought, perhaps, that were there such a law extant, he could get a certificate from the court that he did not come under its provisions: (great laughter).

Did the hon. member from Restigouche, and the hon. member of the Government, (Mr. Rankin) know the dangerous ground they were trading upon yesterday, when they charged the opposition with being actuated solely by a desire to obtain office? Did the hon. member of the Government know, when he read his speech, deliberately written, the unjust taunt, that situations in the Executive Council had been hawked about St. John! (Hon. Mr. Partelow,—prove it; name, name!) he could do so, but should not at present; it was a fact, however, that could not be denied. They would hear more about it before the debate was over. There was one thing remarkable in the hon. Secretary's defence; it was the first time, he believed, that hon. gentleman was known to make a speech without statistics before him. The hon. member from Westmorland, when defending the Government, was driven to comment upon their individual character. He had stated that Mr. Street was an honest man. He (Mr. Johnston) really believed he was an honest man, and therefore he was very sorry to see him where he was, for he believed he was just stepping into trouble.

The opening Speech of last year was just as good as the Speech of this year, but it was not carried out. What guarantee had they, then, that it would be any better this year? Was the Government a proper one—did it possess the confidence of the people—up to the time Mr. Street joined them? No: it was therefore like an old ship, every timber of which was rotten, putting to sea with a new figure-head. If the Government did not possess the confidence of the people previous to the late appointment, how could the appointment of one man make so much difference, though he be an honest man?

He (Mr. Johnston) did not altogether agree with Mr. Street in politics: the hon. Gentleman had, last year, opposed the reduction of salaries; and his hon. friend (hon. Mr. Rankin) actually resigned because his colleagues proposed a retrenchment measure, styling it a breach of public faith. He had no doubt but it was in consequence of the opinion of these Gentlemen that it was a fact which could not be controverted, that two members of the present government were opposed to the reduction of salaries. Again, Mr. Street had charged the government last year with being politically dishonest; and what change had come over them that they should be honest this year? If the other members of the government were dishonest—if they were unworthy of confidence before Mr. Street joined them, and his advent had made them honest and deserving of confidence, then was the Government, and the others ciphers. But they might prove obstructives, and he would repeat, that if this government carry out such measures as the country required, it would be in consequence of the opposition forcing them on: (Hear, hear). He had been returned to support the principles he had this day enunciated, and if, when he returned to his constituents, they should reject him, he would be enabled to say, "it is you that have changed, and not I." He considered it the duty of the Government not only to carry out the wishes of the people, but to lead the way. Holding and publicly avowing these opinions, he had been returned triumphantly, having polled 852 votes out of 1300, although the wealth and influence of his hon. colleague on his right was at first arrayed against him, and only withdrawn when it was evident he was going in.

Mr. Botsford considered this a very important question, and they must all answer to their constituents for their votes. He had made no pledges at the hustings to support the Government, whatever others might have done. He had told them that if the Government brought down measures he considered suitable for the country he would support them; otherwise he would oppose them; he was therefore independent. Those who stood pledged should observe their pledge: he gave both parties credit for sincerity. For his own part he should not take the ipsi dixit of any man or any party, but should act independently of all. He should now consider what measures were enunciated in the Speech. There was Railways, an improved system of Education, the Initiation of Money Votes, and Municipal Corporations. These were satisfactory, and he would give the Government his support in carrying them out. But he would now give them to understand that merely enunciating their measures would not do—that would not satisfy the people; they must act, or they should meet with his determined opposition. There was one important matter omitted in the Speech, viz: the reduction of salaries. That was considered secondary by some, but his constituents considered it of the first importance; he would now, therefore give notice that, while he found enough good measures recommended in the Speech to warrant him in giving the Government a fair trial, yet, unless they come down with a bill for the reduction of salaries, after Mr. Street's return, he would then oppose them.

Mr. Williston said he was not pledged to oppose the Government, but he was sent to watch them, and to assist in carrying out measures for the good of the country. He thought the people of his county found more fault with the late House than with the Government; however, he came in without any show of hostility towards him, and was resolved to show fair play. A new leader had been appointed, who was not there to defend his views: the Government could not defend themselves: ("Hear, hear" from the opposition). He meant the leader of the Government. He did not think they ought to pass a vote of want of confidence during his absence.—Who ever heard of the House of Commons passing a vote of confidence in the Government, while the leader of that Government the Attorney General of England, was away in the country seeking for a seat? (Roars of laughter). He was astonished at the opposition. There were nearly forty members present, and the common object apparently, was to divide the loaves and fishes: (laughter). He was in favour of the reduction of Salaries. As for the fisheries, he had been sent there particularly to represent that interest; the American fishermen drew a bounty, and our fishermen could not compete with them. He did not think the Government should come down to the House and ask them to yield up the initiation of money votes—one of the dearest privileges of the people. If the House wished to give up the power, it was for them to say so. The hon. mover had attacked the members of the Government so rabidly that he had nearly torn their buttons off with his fangs. He (Mr. W.) could look upon the St. John Members as nothing better than a set of democrats.

Mr. Hannington said, that when looking round the House, although he missed some great business men, yet, when he saw the talent, the practical knowledge and industry now arrayed on the benches, he felt gratified to know that whatever was the result of the debate, whether the amendment was carried or not, the country would be safe. There was much excitement, much desire to do the public business of the country, much struggling for office; but good would come out of it. The debate had been conducted with great order and propriety; it was true there had been a small conflict between the learned member for Restigouche (Mr. Barberie) and the learned member for St. John (Mr. Needham). Lawyers usually cut others, not themselves; and it was well to find them clipping each other. The learned member from St. John (Mr. Gray), had said that there was a trial between principle and selfishness; but members should apply that golden rule "do unto others as we would they should do unto us," and not attribute motives to others that they would dislike themselves. He (Mr. H.) had resigned his situation, and would not accept one again on any consideration; and he would not charge those who were out with a desire to get in, nor those who were in with a desire to remain so, merely for the sake of the emoluments; but give each party credit for supposing that they could perform the duties most to the benefit and satisfaction of the country. He should not attempt to follow the legal members through all their speeches; he was a plain man, and felt himself unable to do so.—The hon. and learned member from St. John, (Mr. Ritchie,) in his eloquent speech had stated that he (Mr. H.) had pledged himself on the hustings, in Westmorland, at the last election, that if the people would elect him, he would resign his seat in the Executive. He would explain to the House what happened: A portion of the people of Westmorland, some of them his warmest and oldest friends, faltered in their support under the withering falsehoods circulated in the County. All sorts of stories had gone forth, of the strangest character. Some of the newspapers of St. John had been circulated in that County, charging him, under anonymous signatures, with what had happened years before he was born. Among many other things, he had been charged with squandering the public money on King's College, although that Institution had been endowed years before he was in the Legislature. They had also charged him with supporting the grants for the Bridge Company and the Water Company in St. John, although the first grant was not passed by the Legislature, but by the Executive Government, before the Casual and Territorial Revenues were yielded up to the Province, and the other he had opposed in the House. He had been charged with doing what he did not, and leaving undone what he had done, and that his own emoluments of office were three times as much as they really were; but they would not condemn him unheard; he had met them at the hustings, and had given them the plain truth, and after a full explanation, had the satisfaction of again being returned. In resigning his seat in Council he went further than he had pledged; but he knew that he could be more useful to his constituents out than in, and every pledge he made, he meant now to fulfil,—one word, and one only, did he regret. In answer to a question respecting the Bye Roads, he, having as he supposed the best authority, stated that the Government had no intention of withholding the Warrants; he could not tell whether it had any effect or not, but, deeply as he might have felt a defeat, he would not, for his election, or for any thing else, have made that assertion could he have thought it possible that those Warrants would have been withdrawn.—He (Mr. H.) was afterwards prevented from attending the Council, when the order was made, but it was the act of a Government to which he belonged, and he of course was responsible for it. In reference to what had been said about the late Attorney General, Mr. Wilmot, he (Mr. H.) contended that he is now where he had a right to be; whatever might be said, he was a good man for his country. The only thing that took from the pleasure he (Mr. H.) had in seeing him there, was the outrageous manner in which he had been appointed by Earl Grey, without consulting the Government of the Province. In 1848, a coalition Government was formed, and he (Mr. H.) was invited to take a seat in the Government; after taking some months to consider the proposition, he accepted, but he found it a situation of great difficulty and labour, and also that it lessened his usefulness in this House. Last year, on leaving the House, he had fully made up his mind to retire, and the only thing which prevented him doing so just then, was that honest pride which all men should feel, which prevented him from going out before the election, lest men should say he deserted his colleagues to secure his return—His family only knew it was his intention to resign; at the hustings he told his constituents, men of whom he was proud—yes, prouder than of any thing else on earth except those household gods whom kind Heaven had given him—(his family)—that if it was their wish, he would resign his place in Council, and if he did, he pledged himself not again to mix himself up with any Government—nor would he. He pledged himself to vote for measures, not men. Surely the hon. member (Mr. Ritchie) did not wish to imply that he had said he would oppose the Government, right or wrong. No; he would die at his post before he would vote to condemn the late Government, with whom he had acted, for acts in which he had taken a part, and who he had found quite as anxious to reduce the expenses and advance the interests of the country, as the hon. member from St. John, or any one else he had seen, and who had done all that could be done to surmount the difficulties with which they were surrounded, in aiding retrenchment and the progressive movements of the country.

He would now, in reply to the hon. mover of the amendment, examine the conduct of the Government from the time he joined it. In reference to Education, he found on entering the Government, a Normal School established, under an act which passed in 1847. That act had passed against his wish, he having voted against it. That School had cost the Province a great deal of money. A teacher had been brought out from England, a School house had been built in Fredericton, and the Government had taken forcible possession of the old gaol and *converted it into a residence for the teacher*, before the existence of the Government of 1848. The law under which this School system was established would be found to expire in 1850. The School did not answer expectations, and a bill was introduced last Session to abolish the School in Fredericton, to retain the one in St. John, and to appoint one Inspector of Schools in each County. The first section of that Bill had been negatived by the House. The remainder passed, which was simply a re-enactment of the law of 1847. As to taxing the people for the support of Common Schools, he (Mr. H.) had always been opposed to it. It might do well for hon. members, living in a City, to talk of direct taxation, but let him go among the country people, who, with the greatest difficulty, obtain money enough to purchase the necessary articles, and he would find them bitterly opposed to it: and he (Mr. H.) had and would resist it.

In reply to what had been said about Railways, although he (Mr. H.) was in favour of the Shediac Railway Bill, the whole country was not in favor of it then. He remembered well the hon. member for Queen's (Mr. Earle) coming into the House one morning when that Bill was under discussion, and saying he had not slept all night, he was so much afraid lest the members from Charlotte, Westmorland, and St John would form an unholy alliance, and pass all their Railway Bills, and the House refused to pass it. No Government could have carried it.

In reference to Salaries, he was now and always had been in favour of retrenchment. Men in this Province had to labour hard to obtain a bare maintenance for themselves and families, and while they saw public officers living in luxury, rolling about in their carriages, it created in the minds of young men of education, energy, industry and ability, a distaste for labor, and too many of them notoriously became aspirants for office. Bring down the Salaries and the evil would cease. In 1849, the late Attorney General gave it as his opinion in this House, that the Salaries of Public Officers on the Civil List Establishment could only be reduced by Bill in perpetuity, and that it was unconstitutional to pass a Bill to reduce the Salaries of present incumbents. A Bill to reduce the Salaries of the Judges and the Master of the Rolls and the Clerk of the Pleas in perspective had passed. Had it been thrown out, the Salaries now paid the Chief Justice and one of the Puisne Judges would not have been reduced. The only officials in this Province whose Salaries exceeded £500 a year, were the Judges, the Master of the Rolls, Clerk of the Pleas, the Governor and the Surveyor General. All other Salaries were within the control of the House. In consequence of the passing of that Bill, the Salaries now paid to the Chief Justice and Judge Wilmot, effected a saving to the Province of between £300 and £400, which, although but small, was a good beginning. He considered Mr. Wilmot one of the first men in this country, and he was now serving on the Bench with a Salary of £600 a year, whereas Judges' Salaries were previously £750. The fact of this reduction having taken place, was one which the British Government could not resist, as it would be taken as a precedent, and must lead to the reduction of the Salaries of the present incumbents, as well Judges as every one else. While he (Mr. H.) was in the Government, he was always for the reduction of Salaries, but could not effect his wishes. He would have resigned, but felt that he could not leave his colleagues with honor, as they also were labouring for the reductions.

Now for the delay he was accused of,—Last year, on the 7th of March, Mr. Wark moved that the House should go into Committee of the whole on the State of the Province. A series of resolutions relative to trade were moved, to which other resolutions were moved as an amendment. The matter was discussed from time to time, and although Government had a set of Resolutions prepared, they could not move them until those on the Chairman's hands had been disposed of. On the 14th of April, after the passing of the other Resolutions, the Government moved the reductions, and they were carried. Those Bills were then sent to the Legislative Council, where they were lost. They had been agreed to in Council long before they were moved in this House. It is true they were sent up late in the Session to the Legislative Council, but that was not the fault of the Government; they could not avoid the discussion being prolonged, nor resist the hearing of the Master of the Rolls against the Resolutions; but although the measure did not pass last Session, it must come; the Government were involved in it; the People are determined to have it; Justice requires it; and no Government could stand who should dare to resist or evade it.

The learned member from St. John (Mr. Ritchie) was a Lawyer, and had laid hold upon the weakest points in the case of the Government; but those who looked for perfection in any Government, must necessarily be disappointed. Among other remarks in the learned member's speech, he had alluded to him (Mr. Hannington) as assissing the Crown Lawyers in the consolidation of the Laws. This accusation, if such it was, had little point. The only Bill upon which he (Mr. H.) had laid his hands, was that upon Buoys and Beacons. He had, it is true, brought up a variety of Bills that were just expiring, but the hon. member's professional jealousy need not be alarmed. Beyond this, the drudgery of Legislation, he never felt disposed to take up "Blackstone," at the expense of dropping the plough.

In allusion to the critical position of himself (Mr. Hanington) at the late Election, the learned member had used the words, "and Felix trembled." It was not a characteristic of his, (Mr. Hanington's) to "tremble" in any position of danger to which he might be brought in the performance of his duty; for he felt no fear where he had no guilt. The learned member had commenced quoting, and appeared to be conversant with scripture, it was a pity that he had not given the whole of the passage from which he had made his selection. There he would have found that a heathen Governor had declared that "it was not the custom of the Romans to condemn any man unheard: and when the learned member (Mr. Ritchie) reads the scriptures again, let him remember and respect the Great Algio Saxon principle of "fair play," which had many years before animated the breast of the Roman governor, who was a heathen, and feared not God nor regarded man. These observations he would apply to the present case of the learned Attorney General, who in consequence of the aggressive despatch of Earl Grey, was now sent back to his constituents for re-election. That gentleman would be returned by the people and would shortly take his seat in that Hon. House, and surely it was too soon to pass sentence on a Government of which he was the head, previous to his being permitted to defend himself. This would not consist with the Roman Law, which would not "condemn any man unheard." This was not the Government which he (Mr H.) had left, nor did he feel himself in the least connected with it. Mr. Wilmot was the leader in the House, and of the Government which he left; but Mr. Street was the leader of this; and although he (Mr. H.) considered the whole of Mr. Street's political life had been in error, and although he had always opposed the government to which he (MrH.) had belonged, yet he would not condemn him unheard. "I will ask him on his return to this House" (continued the hon. member,) "whether he considers the corrupt part of the Government *out* or *in*;—(hear! hear! *ironically*, from the opposition)—"whether he yet thinks the reduction of salaries a public robbery—and if his answers should prove him averse to reform, and retrenchment, as God is my Judge, I'll oppose him, or any Government of which he may be the leader." [Hear, hear, from the opposition.]

Liberal measures, though sure to prevail, must yet be adopted by degrees, and in accordance *with*, but not *before* the wishes of the people. In 1842 there was a strong instance of premature advancing upon public opinion, and what was the consequence? Why not one member was returned at the next Election, who had the temerity to plead for the great reforms then promulgated by Sir William Colebrooke. Some of these measures, including the School Act, Municipal Corporations, and a Board of Works, must yet be brought under consideration; but the general will of the people must be consulted, nor must the members from St. John expect that the whole Province is to be made subservient to their particular interests, as they did at the period above alluded to; for when the Government proposed to raise a sum of £500,000, with intent of being laid out in works of general interest to the country, they modestly required it for building a *dry dock* in the City of St. John. In the mean-time the poor of the country were to live as they best could!

Another learned member (Mr. Needham) had asserted that the Acts of the late Government were worse than the potato-rot, or the Weevil in the wheat, and that it was in this light that it was regarded throughout the country. It was easy to make such assertions, but those who knew the many instances of heart-rending misery experienced by the poor in consequence of the failure of the crops, would not easily sport with such a painful subject. The people might in many instances be indifferent, in matters which extended no farther than mere theories or opinions; but when pain and poverty made their appeal—when the tears of the women and the cries of the children supplicated for help in the hour of starvation, then indeed the sympathies of the people were never wrong and were never wanting. Suffering under the dreadful scourge which had been so lightly alluded to, he (Mr. H.) had heard the imploring appeals of the poor and destitute at that period; and never before had he lamented so keenly the absence of that wealth which would have enabled him to relieve his suffering fellow creatures. They looked to the Merchants, but the merchants had not the means to relieve them. They looked for a supply from the United States, but there was nothing to send there wherewith to make a purchase, and famine and misery extended through a great portion of the Province. Let then the learned member who had spoken so hastily, think of the number who at that period were suffering the pangs of hunger, and never again draw a comparison between the woes of famine and the Acts of the Government.

With respect to the Fisheries, the Government had done the most which was permitted by their circumstances. They had sent a gentleman to examine and report upon their importance, and to give such other information as could be collected for the occasion; but he (Mr. H.) had a question to put to the learned member from St. John (Mr. Ritchie.) In the event of his succeeding in demolishing the present government, and getting for himself the office of Atty General—what would *he* do with the Fisheries? Our Bays are crowded with Americans who get a high protective duty on their labour, while ours get none. We cannot make our people forsake their farms and lumber, and turn Fishermen.—All that could be attempted had been done already; a Bounty Bill had been passed for the benefit of the fishermen, but it was lost in another branch of the Legislature, and the government had done all in their power.

With regard to Agriculture, it was not unnatural that the learned member from St. John should consider his *judgment* very competent; but if that learned member had, as he (Mr. Hannington) had done, gone on a new Farm, and turned the unproductive wilderness into a fruitful field, then the hon. member would have learned that hard labour could do on a farm what is beyond the power of Legislation, although much benefit might be derived from proper legislative enactments.

With respect to Professor Johnston's Report, he would confess that his faith was never very strong in its correctness. The Government had in this instance been hurried by the House of Assembly; and Dr. Johnston having an engagement in the United States, went away, and left the work unfinished. Under these circumstances the Government was forced to wait for the two last chapters; and when they came, the House was on the point of rising, consequently to furnish the Report at that time was impossible.

As a member of the Government, he (Mr. H.) could never have been deemed indifferent to the support of Agriculture. He was the first follower of the plough who had ever entered the Executive Council, and in the same occupation he remained to the present day.

With regard to the question of Initiation, the great point was, at what period would the people have placed it in the hands of the Executive, would they have done so, forty, or thirty, or even eight years ago? To this preposition the country even at the latest period named, had responded No! but as young men grew up in the Province, and as political intelligence became more generally diffused, a more liberal spirit was becoming predominant, and what would receive the sanction of the country now, would, eight years ago, have been most indignantly rejected. In '46 he (Mr. H.) had voted against the Initiation of Money Grants being surrendered to the Government; his only reason at that time, being, that his constituents would not allow it. The House should represent the present wishes of the country, but never go too far in *advance* of public opinion; for in such a case there would ever be a reaction, and the vital energy of the lovers of reform would only be wasted, while the cause of reform itself, would, instead of advancing, be retarded. So unpopular indeed had the *Initiating* measure until a late period been in the country, that he (Mr. H.) had seen the Speaker of the House endeavouring to keep a message tending in that direction, off the Journals; and even in the last Session, had the House refused to give up this power, how could the Executive have presumed to take it?

Whoever is in the Government must *feel* his way both in the House and the country; and the learned member from St. John (Mr. Ritchie) should he *get in*, will find it so, and that it is much easier to cavil at what has been done, than to please every one, with what are called popular measures. He will also find that the government must act cautiously, and unanimously, except where questions of minor importance may be left open. He believed it was the hon. member from Northumberland (Mr. Johnson) who had said that the refuge of the rejected members of this House, was in the Legislative Council. This was not the case. No one who had lost his election had been appointed; and the late hon. member for Carleton, (Mr. Connell) to whom the observation was applied, authorized him (Mr. Hannington) to state that he had not vacated his seat in that House, until requested so to do by a requisition emanating from a large and influential body of his constituents. That gentleman was not, therefore, as stated, removed by any plot or plan of the Government, but by the action of his own constituents, the bone and marrow of the County of Carleton, who had the satisfaction of knowing that their late member entered the other Branch of the Legislature, unfettered by requirements from the government, or his own promises. The whole affair, so far as Mr. Connell was concerned, was no more than an act of tardy justice to the people of Carleton. Oh! if the late Attorney General were on the floor of that House, 'Brutus would be Anthony' and 'Anthony would be Brutus,' and the "Grey Mare" of the learned and hon. member might turn out to be "the better horse." He who in the "Reade affair," as well as in the hard fought contentions in the time of Sir Archibald Campbell, had not flinched from his duty, even when Liberalism was reckoned Rebellion—who might have got office, had he only desired it—and who had ever shown as much faithfulness, and more ability than any who had gone before, or who yet might follow him; if he were there to defend himself and the Government of which he had been the Leader, his reply to the many unfounded accusations of the opposition would have chilled them into silence.

With respect to the late appointments, he (Mr. Hannington) had not entertained the slightest idea that the Home Government would have made them; and he must now say that they were improperly made; but he believed that this, like the first appointment of Judge Carter, would be the *last* ever made under such a system; and whether he (Mr. Hannington) was right or wrong in leaving the Government, he was assured that the mode of making those appointments would awaken a voice of thunder in this Province, which must be heard, and heard effectively in the Colonial Office.

In all the conflicts of the Government he (Mr. H.) had never taken a very prominent part: it was his to do the drudgery—the hard work of the people. He had come into the Government untrammelled by pledges, and he had retired when he thought such to be his duty:—but this he would say, that while he was *in*, he felt surprised at the vast amount of work which they performed; and now that he was *out*, he would vote on all questions in such a way as to preserve a good conscience. If the Government was now overturned by a vote of the House, such a hasty step would doubtless be attended by a sudden re-action; for the people, on the common principle of fair play would ask, why the House had not waited and heard the new Attorney General in his own defence, previous to voting out the Government of which he was the leader. He never believed that there was not enough of talent in the Province to carry on a party Government; but on the contrary, it was his opinion that there was, outside of the forty-one members of that House, hundreds of individuals who could carry on the Government with credit to themselves and advantage to the public. He candidly confessed that his predilections were not in favour of the Hon. Attorney General; but with his (Mr. Hannington's) inherent love of *fair* play, he could not condemn, without giving him a hearing, as had already been given to the Master of the Rolls, even when it was his opinion that the views of that Hon. Gentleman would not be sustained by the country. He (Mr. H.) cared not for men. That principle might do many years ago, but not now; but the people at present looked for progress in the country; and if that were accomplished, they cared but little who composed the Government. The people wanted immediate action. The Great Railway from Halifax to Calais should be commenced with as little delay as possible; and could he (Mr. H.) justify the postponement for a year, of this great Colonial work, from a principle of hostility to Mr. Street? —(Here the hon. member spoke for a short time most warmly in favour of the Railway, and in opposition to the idea that Nova Scotia was in advance of New Brunswick in point of Legislation.)—In a general way, he approved of the Nova Scotia Government, but, he thought that in the creation of a new office, that of Financial Secretary—they had not acted with prudence. He also observed, that with all their boasted intelligence in Nova Scotia, they never yet were prepared to place the Initiation of Money Grants in the hands of the Executive. The hon. member concluded by observing, that so far as he was personally concerned, he cared nothing how the vote turned out on the present occasion; and further, that he should, while he retained a seat in that House, remain unpledged to any party, and anxious only to advance the interests of the country.

LEGISLATIVE SUMMARY.

[From our own Reporter.]

House of Assembly, Fredericton, Saturday, February 15, 1851.

Mr. Tilley called the attention of the House to the printing of the Journals. It appears that the House ordered 800 copies to be printed, but as each member ordered as many copies as he chose (one member ordered 120 copies) the Queen's Printer was actually issuing 1,600 copies! Mr. Tilley showed that the printing of this number would cost £580, and that, when the postage, extra work for messengers, &c. was added, it would cost the Province £900. After several members had spoken, the House passed a resolution—moved by Mr. Needham—that they would pay for no more than 800 copies; with the understanding that any member who distributed more than his share, must pay for the extra numbers out of his own pocket.

Hon. Mr. Partelow laid before the House the Treasurer's, and other public accounts.

Mr. Johnson remarked upon the imperfect drafts of some of the bills which were brought into the House, and moved that a standing committee be appointed, to whom they should be submitted, to correct errors in form, &c.—Mr. Taylor moved as an amendment that a committee be appointed to enter into arrangements with a Solicitor to perform the duties aforesaid. After considerable discussion both resolutions were rejected by overwhelming majorities.

Mr. Partelow laid before the House a very important Despatch from Earl Grey, upon the subjects of the Surplus Civil List Fund, the reduction of salaries, &c., in reply to the Resolutions of the House on the 24th April, 1850. The following is its purport:—

After three preliminary sections, His Lordship, in the fourth section, states that the surplus of £12,298 11s. 8d. he considers to be at the disposal of Her Majesty, in virtue of the arrangement entered into in 1836, and rendered *perpetual* by the act of the General Assembly in 1838. He does not consider the financial state of the Province, or the treaty of Washington, which must have been anticipated in 1838, any ground for reconsidering this arrangement, and entering into new stipulations, "*to the injury of public confidence in existing arrangements*," and adds, "it is therefore impossible for me to advise Her Majesty to sanction the immediate transfer of this sum to the Provincial Treasurer."

In section 5, he states that the sum is merely held in trust for the public wants of New Brunswick, and that, when occasion shall arise, he would gladly sanction its expenditure for the public service. That the chief obstacle to a surrender of its control is the initiation of money votes being claimed by the House, which not only makes it impossible for the local Government to have any control of the money in the Treasury, but to foresee for what purpose money may be wanted, and how to provide for it. If, therefore, this money was given up, it would deprive the local Government of a sum to which they may look to meet possible exigencies, and may render it difficult to carry on the public service.

Section 6 is as follows:—"If however the right of originating money votes is conceded to the Government, I wish to state as explicitly as possible, that this surplus will be immediately regarded by me as applicable for any permanent work of adequate utility of which the Government may approve